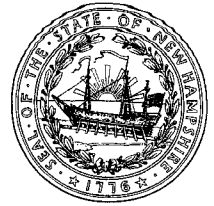




The State of New Hampshire  
*Department of Environmental Services*



Michael P. Nolin  
Commissioner

May 25, 2006

**LETTER OF DEFICIENCY #WSEB 06-049**  
Certified Mail #7099 3400 0003 6156 4548

Julian Stogniew  
Poultry Products  
11 Bemis Road  
Hooksett, NH 03106

Subject: Hooksett - Public Water System: Poultry Products (EPA #1186040)

Dear Mr. Stogniew:

The records of the Department of Environmental Services (DES) show that the Poultry Products is classified as a public water system (PWS), as defined by RSA 485:1-a. A PWS is defined as any water system supplying 15 or more services, or 25 or more people, for 60 or more days per year. As such, the water system owner is required to submit samples according to the system's established Master Sampling Schedule to the State laboratory or a State-certified laboratory in compliance with NH Administrative Rules Env-Ws 321 through 330.

DES records show that the subject water system exceeded the maximum contaminant level (MCL) for Arsenic for the first quarter of 2006 and as a result, a Notice of Violation (NOV) was issued to the water system on February 28, 2006. A copy of the NOV is enclosed. Pursuant to Env-Ws 351, the NOV noted the requirement that public notice of the Arsenic MCL violation be performed within 30 days and that proof of public notice be sent to DES within 10 days of performing such public notice. DES did not receive the proof of public notice.

As a result of the failure to perform public notice for the first quarter 2006 Arsenic violation, another NOV, dated April 19, 2006, was sent to you, a copy of which is enclosed. This NOV requested that you perform the overdue public notice within 7 days and then immediately provide proof of public notice to DES.

To date, no proof of public notice has been received by DES for the first quarter 2006 Arsenic MCL violation, thus placing the water system in violation of Env-Ws 351.

DES believes the public notice violation can be corrected, and future violations prevented, by taking the following actions:


1. **By June 9, 2006**, carry out the public notice requirements for the first quarter 2006 Arsenic MCL violation in accordance with the instructions on the enclosed public notice template; and

2. **By June 16, 2006**, provide proof of public notice to DES in accordance with the instructions on the enclosed public notice template.

In the event compliance is not achieved within this period, DES may initiate formal action, including issuing an order requiring the deficiencies be corrected, initiating an administrative fine proceeding, and/or referring the matter to the NH Department of Justice for imposition of appropriate penalties.

Please contact Emily Jones by phone at (603) 271-0659 or by e-mail at [ejones@des.state.nh.us](mailto:ejones@des.state.nh.us) if you have any questions regarding this letter.

Sincerely,

  
Sarah Pillsbury, P.G., Administrator  
Water Supply Engineering Bureau

h:\wseb\enfm\enforce\lods\public notices\chemical\2006 - 75 lods\1186040 mcl pn 06-049.doc

encl. Notice of Violation (Arsenic MCL), dated February 28, 2006  
Notice of Violation (public notice), dated April 19, 2006  
Arsenic MCL Public Notice template

cc: Gretchen R. Hamel, DES Legal Unit Administrator  
Christopher Countie, Primary Operator  
James Plourde, Owner's Representative  
Michelle Bonsteel, Town of Hooksett Health Officer  
✓ EPA, Region 1